

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RONALD WARNE,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 07-832-JJF
	:	
HOME OF MERCIFUL REST SOCIETY,	:	
INC., d/b/a KENTMERE NURSING	:	
CARE CENTER,	:	
	:	
Defendant.	:	

O R D E R

WHEREAS, the Court entered a Memorandum Opinion and Order (the "Order") (D.I. 13) on July 31, 2008, directing Plaintiff to show cause by August 15, 2008, why this action should not be dismissed for failure to prosecute the claims alleged;

WHEREAS, to date, Plaintiff has failed to file a response to the Court's Order;

WHEREAS, Plaintiff's failure to comply with the Court's Order coupled with the inactivity in this case since its inception in December 2007, including Plaintiff's failure to respond to Defendant's filings, as discussed in the Court's decision (D.I. 13), weighs in favor of dismissal in light of the factors discussed in Poulis v. State Farm Fire & Cas. Co., 747 F.2d 863, 868 (3d Cir. 1984);

NOW THEREFORE, IT IS HEREBY ORDERED that the above-captioned action is **DISMISSED**.

August 25, 2008


UNITED STATES DISTRICT JUDGE